APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,722	03/12/2001	Brian Henry Stockley	EL727968517US	3163

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EXAMINER
THAI, HANH B

ART UNIT	PAPER NUMBER
2171	

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/805,722	Applicant(s) STOCKLEY, BRIAN HENRY
	Examiner Hanh B Thai	Art Unit 2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Amendment 7/10/03* .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____ .

This is in response to the Amendment filed July 10, 2003.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

Claims 16 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Choy (U. S.

Patent no. 6321374).

Regarding claims 16 and 20, Choy discloses a method for enabling data structure naming

and manipulation functions in a computer system (10, Fig.5, Choy) coupled to a display (110,

Fig.5) and employing transacted service, wherein the data structures have referential integrity

(col. 7, lines 2-26, Choy) and temporary copies of data structures are not created during editing

of the data structures, the method comprising the steps of presenting on the display (110, Fig.5) a

representation of a plurality of data structures (see col. 7, lines 1-26 and col.9, lines 1-5, Choy);

and providing a plurality of functions for either or both of naming (see col. 10, lines 35-41,

Choy) and manipulation of data structures, the plurality of functions excluding a save-as

function.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-2, 5, 9-13, 17-19 and 21-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bolnick et al. (U. S. Patent no. 6,043,817) in view of Choy (U. S. Patent no.

6321374).

Regarding claims 1, 5, 10-12, 17-18 and 21-22, [1]Bolnick discloses an electronics

assembly engineering system comprising a computer subsystem in which user-defined data

structures accessible to editor software (see Fig.1, Bolnick), and in which user modifications to

the data structures (see col. 5, lines 21-25 and col.17, lines 29-34, Bolnick) during editing are

made directly to the data structures rather than indirectly by way of a temporary file, a method

for permitting naming and manipulation of the data structures (col.4, lines 58-63, Bolnick), the

method comprising the steps of:

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[1] Please note that the "electronics assembly engineering system" is regarded as an intended use and as such, the
Patent Office does not give it patentable weight.

providing close, discard and rename functions for the data structures, if a newly created

data structure is being edited (see col.17, lines 40-46, Bolnick); "close" corresponds to "Exit"

function, "discard" corresponds to "cancel" function.

providing close and copy functions for the data structures if an existing data structure is

being edited; and excluding a save-as function for the data structures (see col.18, lines 1-29,

Bolnick).

Bolnick, however, does not disclose that the data structures have referential integrity.

Choy, on the other hand disclose referential integrity in data management system (see col. 7,

lines 2-26 and 27-39, Choy). It would have been obvious to one of ordinary skill in the art at the

time of the invention to modify Bolnick to include the referential integrity in the data structures

as taught by Choy. The motivation of doing so would have been to handle heterogeneous data

(see col.3, lines 566-67, Bolnick).

Regarding claims 2, 6 and 13, Bolnick/Choy combination further discloses the data

structures comprise objects (see 130,132, Fig2, Choy).

Regarding claim 9, Bolnick/Choy combination further discloses the computer-readable

media is removable from the subsystem (see col. 3, lines 30-34, Choy).

Regarding claims 17 and 21, Bolnick/Choy combination further discloses the

manipulation functions comprises providing close, discard and rename functions if a newly-

created data structure is being edited (see col.17, lines 40-46, Bolnick); "close" corresponds to

"Exit" function, "discard" corresponds to "cancel" function.

Regarding claims 18 and 22, Bolnick/Choy combination further discloses manipulation

functions comprises providing close and copy functions if an existing data structure is being

edited (see col.18, lines 1-29, Bolnick).

Regarding claims 19 and 23, Bolnick/Choy combination further discloses that the step of

presenting on the display a representation of a plurality of data structures comprises presenting a

graphical representation of a plurality of data structures (see abstract of Bolnick).

Claims 3-4, 7-8 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bolnick et al. (U. S. Patent no. 6,043,817) in view of Choy (U. S. Patent no. 6321374) and

further view of Ferrel et al. (U. S. Patent no. 6,199,082).

Regarding claims 3-4, 7-8 and 14-15, Bolnick/Choy combination further discloses all of

the claim subject matter as discussed above, except Bolnick/Choy combination does not disclose

the data structures comprise mark-up language documents or XML documents. It is well known

in the art to use the mark-up language documents or XML documents in the page editor as taught

by Ferrel (see Fig.2 and col.4, lines 1-30, Ferrel). Therefore, it would have been obvious to one

of ordinary skill in the art at the time of the invention to include the mark-up language

documents or XML documents to manage the web page.

Response to Arguments

Applicant's arguments filed July 10, 2003 have been fully considered but they are not

persuasive.

Applicant argues, Bolnick et al. Do not disclose "presenting a plurality of data structures on a display" (page 2). The examiner respectfully disagree because Choy teaches application programming interfaces (APIs) and the presenting of "cataloged object" model that is applied to data to facilitate performing operation on it (see col. 7, lines 1-26, Choy). Therefore, the presenting of this data scheme is definitely the representation of data structure by Microsoft computer dictionary definition.

Applicant argues, Bolnick et al. do not disclose "...subsystem of an electronics assembly system engineering system" (page 3). As mentioned in the previous action, the bodies of the claims have no connection to "electronics assembly engineering system". Therefore, this element has no patentable weight as noted in the office action (April 11, 2003).

Applicant argues, Bolnick et al. do not teach or suggest "...'save-as' function for data structure" (page 3). The examiner respectfully points out that the "save-as function" is used as an option so that it can be operated, applied and included or not to the data structure. Furthermore, Bolnick discloses a Microsoft Layout Editor including a save-as function (see col. 17, lines 12-20, Bolnick).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hanh B Thai whose telephone number is 703-305-4883. The

examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-746-9099 for regular

communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

Hanh Thai
Art Unit 2171
August 7, 2003

SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100